

MINUTES
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
CITY COUNCIL MEETING
April 22, 2014

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, April 22, 2014, at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Mike York, Mayor; Jim Whitney, Chris Griffin, Burt Ussery, Laura Papish, Council Members; Council Member Paul Clark was absent. The following staff members were present: Kent Brown, City Administrator; Barbara Salinas, City Clerk; Janet Amerine, City Attorney, Gene Garcia, Police Chief; Public Works Director, Ernie Misak; Others present at the meeting were: Lonnie Stieben, Southern Kansas Telephone; Sherri Thomas, Fall Festival Committee; David FitzGerald, City Resident; Kylee House, Joe Cordell, Tyler Hobert, Zachary Gerberding, Alyssa McGill, Clearwater High School Government Students.

Mayor York called the meeting to order at 6:00 p.m. York gave the invocation, which was followed by the Pledge of Allegiance. The Clerk called the roll to confirm the presence of a quorum.

Approval of the Minutes of the Regular Meeting of April 8, 2014

Council Member Papish made a motion to approve the minutes as written. The motion was seconded by Council Member Ussery and passed unanimously.

Mayor's Recommendations

No Recommendations at this time.

Public Forum

Lonnie Stieben with Southern KS Telephone Company stated to the Council that the Cable Franchise Agreement with the City of Clearwater is for 15 years, renewable every 5 years. The renewal date is June 23, 2014. Stieben further stated if the City Council had no objections we can move ahead with the agreement. Stieben explained the publication requirements. Council Member Ussery asked about acceleration rate. Brown stated that SKT is a local company and the cable rate is 3%.

Stieben also wanted to invite the members of City Council to the Focus on the Future meeting on the 28th of April at the Service Center. There will be a hot dog feed at 6:00 p.m. prior to the meeting.

NEW BUSINESS

Discuss and Consider a Sponsorship Request from Fall Festival Committee for 2014 Sponsorship

City Administrator Kent Brown gave a brief history of the Fall Festival and the City's past participation in the City Festival.

Sheri Thomas, President of the Clearwater Fall Festival Committee came before the City Council to answer any questions and to request City Sponsorship.

Council Member Ussery asked how the City ranked as an employer of the city. City Administrator Brown cited ½ dozen businesses that would be sponsors of the Fall Festival. Council Member Papish stated that the City gives a lot of services to help with the Fall Festival.

There was discussion regarding the time line for the Fall Festival and it was the consensus of the council that they would like to see this by the first meeting in August with a final follow up at the first meeting in September.

Police Chief, Gene Garcia agreed that it would be helpful to the Police Department if they were provided a timeline so they may plan personnel for the Fall Festival. City Administrator Brown suggested for Sheri Thomas to come to City Hall in the next few weeks to visit with Chief Garcia and himself about the events that are planned.

Council Member Whitney asked that the location of the carnival should be a topic of discussion for the council as the committee proceeds with their planning.

Police Chief Garcia stated he would like to attend the Fall Festival meetings. Council Member Papish asked when the meetings for the Fall Festival were held. Sheri Thomas stated the meetings are held on the 3rd Monday of the month at the First Baptist Church.

Council Member Whitney made a motion to make a \$250 Bronze Level Donation to the 2014 Fall Festival. Council Member Papish seconded the motion and the motion passed unanimously.

Discuss and Consider an Ordinance Amending the City of Clearwater Code Pertaining to Delinquent Payment and Discontinuance of Utility Services

City Clerk Barbara Salinas presented to the Council a change to Ordinance pertaining to discontinuance of utility services. Ordinance 863 stated that termination of services would occur within 15 days from the date of the notice. The proposed ordinance would amend the wording to read "... the first day of the next following month ...". The change is for convenience to both the citizens and city staff. Clerk Salinas stated there is no financial impact on the amendment.

Council Member Ussery made a motion to approve Ordinance 985 as presented. Council Member Griffin seconded the motion and passed unanimously.

Discuss and Consider Amendments to the Park Board/Tree Board

The amended bylaws were presented to the Council at the last meeting of April 8, 2014, but tabled until after the Recreation Commission's April meeting. This was to allow time to for their review, since the joint meeting of April 9th was not a decision making meeting. City Attorney Amerine attended the Recreation Commission meeting and stated the Recreation Commission expressed that they have some concerns to share with the City Council.

Council Member Ussery stated that he believes that the consolidation of the three boards is the right decision and expanded on previous discussion with regard to process and procedures for planning, funding, and working with the City Council.

After discussion, Council Member Whitney made a motion to approve the amendments to the Clearwater Park Advisory and Tree Board by Laws as presented. Council Member Ussery seconded the motion and passed unanimously.

Review Recreation Director Job Description

This item was tabled for further review at the April 9, 2014 Council Meeting. The Council was provided an edited job description from the Recreation Commission. Council Member Burt Ussery stated that he agreed with the top five bullets on the job description from the Recreation Commission

After discussion, it was the consensus of the Council that the job description needs to define the direct report for the Recreation Director. It was also recommended that supervisory responsibility needs to be called out, i.e. seasonal.

Council Member Ussery stated that the job description should state that the position is exempt and name the direct report. Other recommendations included, coordinate maintenance issues with Public Works Director and coordinate for community events involving park/pool properties; budget considerations for parks and maintenance and purchasing.

It was recommended to remove paragraph 2 from the city's proposed job description and insert it into the Recreation Commission proposed job description. Also removal of the third bullet point.

Council Member Griffin requested the pages to be numbered.

It was the consensus of the Council to revise and send to the Recreation Commission for their review and approval.

Appoint Aquatic Center Staff for 2014 Season

Administrator Brown stated that the 2014 pool season is fast approaching and appointment for the aquatic center staff needs to be done. The pool is scheduled to open Memorial Day weekend.

Council Member Ussery asked about the list of lifeguards provided to the Council. There were some concerns regarding the names and their qualifications. He stated that he has been approached by some with inquires as to lifeguard job opportunities. He and Council Member Whitney also questioned why these appointments were made by the Mayor.

City Attorney Amerine stated that City Code requires all appointments to be made by the Mayor. Council Member Whitney stated that this is not done at the City of Wichita. City Attorney Amerine stated that it is the difference in classification that dictates appointments, as Clearwater is a city of a third class, whereas Wichita is a city of a first class.

Council Member Papish inquired if the positions are advertised to ensure that the lifeguards are not hand-picked. The positions are not currently advertised. Council Member Papish stated that the lifeguard positions should be open to every to apply. She also inquired about the \$600 transportation fee for lifeguard training. Administrator Brown stated there were three kids transported this year for lifeguard training.

Council Member Ussery recommended that Recreation Director Zook should be provided the list and visit with the Pool Manager as to qualifications. When she is satisfied those names should be brought before the Council for appointment.

Mayor York stated that in the past years, the Pool Manager provided the list to the Council and that at least half of the names are those who worked the previous year with few new names. He stated that the appointment process has worked well and needs to remain the same.

It was the consensus of the Council that the Recreation Director would check the name and discuss with the Pool Manager. Appointments will be made at the next Council Meeting of May 13, 2014.

Council Member Papish noted that she would also like to discuss costs of transportation and training at the next meeting.

Department Head Reports

Police Chief Gene Garcia reported that there were some unattended deaths in the city within the last two weeks and several scam reports taken by officers. Chief Garcia was available for any questions or concerns from the Council.

Council Member Whitney inquired about the graffiti at the park. Garcia stated that they are monitoring and stepping up patrol which includes foot patrol. He stated that he has had discussion with Administrator Brown and the security cameras in place are helpful, but cannot cover the entire area, but the cameras do stop vandalism within the cameras view. He stated that both Winfield and Derby are dealing with the same issues.

Council Member Ussery asked if the parents could be held responsible for damages. Garcia stated that parents could be held responsible and that is the intent. He concluded that there is an active investigation on the vandalism.

Public Works Director Ernie Misak reported two leaks at the Garvey line. One was repaired on Monday and a more severe repair this morning; both are repaired. There was some discussion on repair options and Garvey line responsibility.

Council Member Whitney asked if the City is tracking expenses for Garvey maintenance. Misak gave an approximate cost of \$6,000 annually. Council Member Ussery asked to review the agreement to see if there are any provisions for wear and tear that may offer relief for our expenses.

Brown stated that the Garvey line is approximately 40 years old and estimated a 1975-77 installation time frame. He stated that line replacement would be a major expense and suggested a smaller line to serve customers only.

Misak reported that the aerator is back in operation at the sewer ponds and they are looking at the fountains at Chisolm Ridge pond. He also reported they are planning to paint the surface of the pool. He reported that he has hired Andy Candillo, seasonal employee, earlier than originally planned. Misak reported that the Clean Up weekend went well. They had some issues with hauling, but resolved on Saturday. He reported the public brought enough items to fill 12 to 15 containers over the weekend, as opposed to 8 last year. He stated they had volunteers from the High School, more on Friday than Saturday. Misak stated he would like to see more communication with the Leadership coordinator so that he can coordinate and schedule community service volunteers accordingly.

Recreation Director Zook reported that we did not get the grant for the playground fall zone, but did get a grant for three picnic tables. Zook asked to clarify the specific process to consider a proposal for the parks.

Council Member Ussery stated that the process is for the Recreation Director to take the proposal to the Recreation Commission for review and approval first. After the budget concerns are addressed, the proposal is then presented to the Council. At that point a plan is put together for funding. Council Member Ussery asked about the funding for moving forward with the fall zone project. Director Zook is looking at approximately \$41,000 depending on crushed rock vs Pour and Play. Council Member Whitney stated we need 2-3 bids that provide the costs per area.

Director Zook reported that they had a successful Easter Candy Scramble with a good crowd. Baseball season starts on May 19th and there are 16 teams. Zook stated that the Recreation Commission would be discussing the Pool Manager job description and then discuss with Council.

Council Member Ussery inquired about the status of the leadership project involving concrete at the park. Administrator Brown stated that he would follow up with Triple B and the student, T.J. Layton, and report back to staff and Council.

Committee Reports

No Committee reports at this time.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of April 22, 2014 in the amount of \$39,138.35.

Council Member Papish asked about the senior center lights and the stamp tax. City Administrator Brown explained the lights were outdoor lights at Senior Center and the stamp tax was for CMB licenses issued for 2014. Council Member Ussery asked about the fire equipment and City Administrator Brown stated that was separate from the order that was approved by Council at a previous meeting.

After discussion, Council Member Ussery moved to authorize payment of the claims and warrants for \$39,138.35. The motion was seconded by Council Member Whitney.

Old Business

Administrator Brown reported that he would follow up with Mr. Mosely on his request to meet regarding ADA Planning. Director Zook reported that the city/school agreement will be ready for the next council meeting. Council Member Ussery wants school approval when it comes back to Council. Brown reported that there is progress with the Historical Museum Directors job description and he will be meeting with the Director in the morning.

Staff Reports

City Clerk Salinas stated that the Leadership Class at Clearwater High School planted flowers in the planters along Ross Street for the businesses. The students were Conner Wells, Caleb Garrison, Ethan Guiltner and Patrick Colquette. The class is taught by Mike Justice. The

students had a movie night at the HS to raise some of the money used for the flowers. The group was sponsored by Early Bird Lawn Care. Council Member Papish suggested sending a thank you note to those students.

City Attorney Janet Amerine provided as a note of interest to the Council a situation with the Firefighters Relief Association. When the policy was purchased, EMS was under the Fire Department. Notification was received from the insurance company regarding the coverage requirements. Clearwater EMS classifications that are not classified as fire fighters will not be covered. It was noted that the Firefighters policy is purchased by the firefighters not the city. There was discussion regarding the process involved in qualifying volunteers as firefighters. Amerine stated that the Fire Department was holding a meeting and after the situation is presented it will be up to the Fire Chief to recommend appointments. It was the consensus of the Council that that Chief Schauf would not make recommendations without qualifications.

Administrator Brown reported that an incident report was submitted to the city's insurance company. He advised that he did receive a preliminary report from Jim Kohman, EBH and it will be submitted to the State.

Administrator Brown and Chief Garcia made a request from the Council to authorize the purchase of a gas grill from a local resident in the amount of \$225. They stated the grill would be used by the staff and available for community events. It was the council consensus to approve the purchase of the grill for \$225.

Council Reports

Council Member Griffin had nothing to report.

Council Member Whitney had nothing to report.

Council Member Clark was absent.

Council Member Papish stated she had a paper that needs signature from EMS Medical Director. Papish could put it in drop box or drop it off at the office.

Council Member Ussery asked council to consider buying 106 acres of farm land that is for sale, noting a location of across the river. This was a follow up to past discussion regarding the purchase of farmland for irrigation purposes. Council Member Whitney was familiar with the area and stated it would not be a good purchase for the city. He stated there are no utilities, no access road and no waterline. Since it is across the river, we could not put in a water line. Council Member Ussery agreed Council Member Ussery stated that he would like to take 45 minutes to go over a spread sheet about strategic planning that was provided to the Council.

Council Member Ussery asked the councils authorization to attend the Focus on the Future meeting on Monday, April 28th to share with the group the city's plans to develop a Mission Statement. Council Member Papish stated she would like to see a City presence at the Focus on the Future meeting.

At this time Council Member Ussery asked for 45 minutes to review the notes from the Strategic Planning Session. Councilman Ussery provided a handout for the council to review for comment and input.

The spreadsheet was divided into seven areas of focus; Management of Natural Resources, Restructuring of City Board/Commissions, Downtown Development, Public Safety, Growth, Communications and ADA. The Council discussed each area of focus and staff members and council members volunteered to champion those areas of focus.

At 10:05 p.m., Council Member Ussery asked for an executive session for Personnel Matters for 5 minutes. The motion was seconded by Council Member Papish and passed unanimously. The Council went into executive session at 10:05 p.m.

At 10: 25 p.m., the Council returned from executive session with no action taken.

Adjournment

With no further business to come before the Council, Council Member Whitney moved for adjournment and the motion was seconded by Council Member Griffin. The motion carried unanimously.

The Meeting adjourned at 10:27 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Barbara Salinas, City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the April 22, 2014 regular meeting of the Clearwater City Council.

Given under my hand and official seal of the City of Clearwater, this 13th day of May, 2014.

Barbara Salinas , City Clerk